

Who owns Buffer Zone mining rights?

By Bill Badger

If you use the West Gate to come and go from the site, you've probably noticed increased gravel mining operations on the north side of the West Access Road.

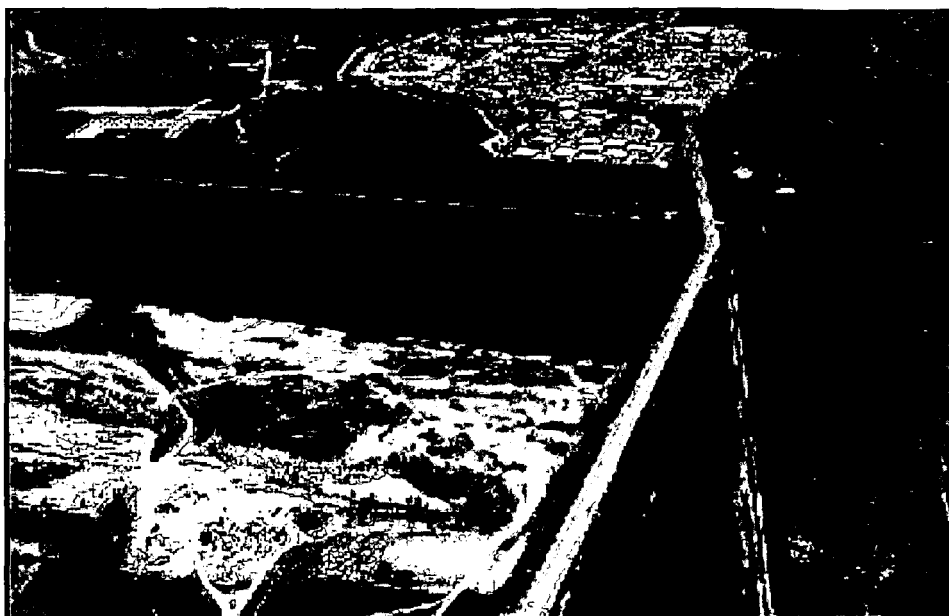
While the gravel mine is on Rocky Flats property, the sub-surface rights are owned by the McKay family, relatives of the Church family. The Church's were one of three families that homesteaded several thousand acres of land on and around the Rocky Flats Mesa. The McKay family has leased a mining permit for 76 acres to Lakewood Brick and Tile, which is allowing Central Ready Mix to conduct gravel mining.

Mining occurs in part of the Buffer Zone due to complicated mining laws, some of which date back to the common law of England.

When the United States needed to acquire the land to build the Rocky Flats plant in 1951, the government approached the Lindsay, Church and Rogers families about the original 2,519 acres needed to establish the site. The families were reluctant to sell their property.

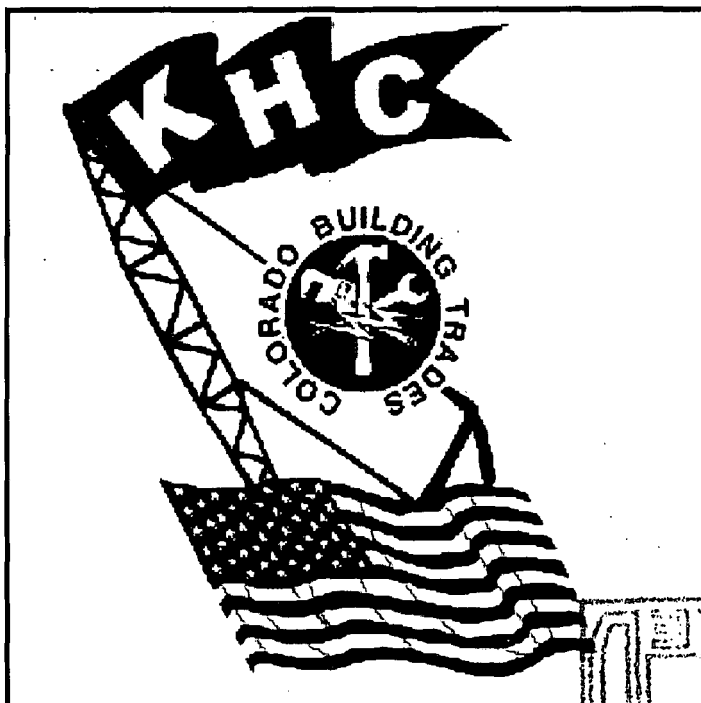
When negotiations over the land failed, the government utilized Eminent Domain, the right of society or the government to take private property for public use by virtue of its sovereign power over all lands within its jurisdiction, and condemned the land for the United States. However, the government was obligated to provide "just compensation" for the land under the Fifth Amendment of the Constitution. The landowners were paid fair-market value for their surface rights. The sub-surface rights were subordinated, meaning the landowners could keep the mineral rights but they could never mine from the surface.

The site was increased by 4,000 acres in subsequent purchases in 1974 and 1975. With these purchases, the government did not subordinate the mineral rights. This is why we see strip-mining on our property near the West Access Gate. However, of the nearly 4,000 acres of privately owned mineral rights in the Buffer Zone, only about 800 acres are currently permitted for mining. Owners of the remaining acreage have either not applied for permits, or there is nothing worth mining. The question of what will happen to the mineral rights after Rocky Flats becomes a Wildlife Refuge is still unknown.



The Central Ready Mix gravel mine can be seen on Rocky Flats property North of the West Access Gate.

New KHC logo reflects pride, patriotism



Kaiser-Hill Construction has a new logo thanks to four winners of the recently held KHC logo contest. Logo ideas from KHC employees Roberta Underwood, Ron Zukaitis, Eli Trujillo and James Meyer were selected from a field of more than 30 entries. Each of the four winners' ideas were combined into one logo. The result reflects the pride and patriotism of the team responsible for much of the demolition work on site.

